

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q96826

Fumio SAMIZO, et al.

Appln. No.: 10/598,516

Group Art Unit: not yet assigned

Confirmation No.: 6721

Examiner: not yet assigned

Filed: September 1, 2006

For: BENZOTHAIAZIN-3-ONE COMPOUND AND INTERMEDIATE THEREFOR

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. JP-A 2002-128769 published May 9, 2002, to Sumitomo Pharmaceuticals Co., Ltd. with English Abstract and partial English translation. This reference was previously identified on a PTO/SB/08 A & B filed January 5, 2007.

2. JP-A 2002-542238 published December 10, 2002, to Sumitomo Pharmaceuticals Co., Ltd. with partial English translation.

3. WO 03/055851 A1 published July 10, 2003, to Sumitomo Pharmaceuticals Co., Ltd.

4. WO 2004/014389 A1 published February 19, 2004, to Warner-Lambert Co., LLC.

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/598,516

Attorney Docket No.: Q96826

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of the International Search Report which cites such documents and indicates the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT
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Attorney Docket No.: Q96826

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 18, 2007

Substitute for Form 1449 A & B/PTO <u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u> <i>(use as many sheets as necessary)</i>			<i>Complete if Known</i>		
			Application Number	10/598,516	
			Confirmation Number	6721	
			Filing Date	September 1, 2006	
			First Named Inventor	Fumio SAMIZO	
			Art Unit	Not yet assigned	
Examiner Name	Not yet assigned				
Attorney Docket Number	Q96826				
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
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		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ²	Number ⁴	Kind Code ³ (if known)			
/KH/		JP	2002-542238	A	12-10-2002	Sumitomo Pharmaceuticals	partial
/KH/		WO	03/055851	A1	07-10-2003	Sumitomo Pharmaceuticals	
/KH/		WO	2004/014389	A1	02-19-2004	Warner-Lambert Co., LLC	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶	

Examiner Signature	/Kahsay Hable/	Date Considered	05/22/2009
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.